

**REVISED JUNE 5, 2009**



**REQUEST FOR QUALIFICATIONS  
(RFQ) & EXPRESSIONS OF INTEREST  
CONSULTING SERVICES  
(29 Del.C. §6981)**

**Agreement No. 1504**

**US ROUTE 301 PROJECT  
CIVIL RIGHTS AND AFFIRMATIVE ACTION CONSULTANT**

**6/05/09 REVISED RFQ**

**The required submission date has been changed from June 10, 2009 to July 1, 2009**

**PROJECT DESCRIPTION**

The purpose of this process is to solicit proposals from full service civil rights and affirmative action consultants to successfully perform the required functions on a large, complex, multi-faceted highway construction project with respect to civil rights and equal opportunity monitoring and reporting and to insure compliance with federal regulations.

The U.S. Route 301 Project civil rights and affirmative action program will begin before most construction contracts have been bid and awarded. The consultant project is expected to last the full duration of the US 301 construction project and extend not longer than 60 days after the conclusion of that construction project in order to complete final reporting requirements.

Organizations submitting proposals should be familiar with FHWA regulations and should have considerable experience in the areas of:

- Affirmative action monitoring including the monitoring of compliance with FHWA or comparable regulations in employment by race and gender on construction sites;
- DBE Programs, particularly in full participation and utilization, prompt payment thereto, and goal accomplishment; and,
- Federal reporting requirements pursuant to FHWA regulations.

**CONSULTANT SERVICES REQUIRED**

Services include but are not limited to the following:

- Development, management, administration, and oversight of compliance reviews for the U.S. 301 Project.
- Assist in identifying suitable DBEs, reviewing bids for DBE requirement accomplishment, helping contractors to select appropriate DBEs for their needs and to achieve DelDOT's stated goals.

- Attend and participate in pre-bid and pre-construction meetings with DelDOT and contractors to discuss affirmative action goals, monitoring plans and reports.
- Assist contractors in resolving any DBE-related problems.
- Work with DelDOT's Civil Rights Section to address problems, ascertain whether good faith efforts have been made and recommend approval of any substitutions of DBEs.
- Track commitments and awards to DBEs and report the same periodically to DelDOT's Civil Rights Section.
- Assist contractors to achieve contracting and employment goals, identifying potential obstacles to goal achievement and recommending viable solutions.
- Report monthly progress toward contracting and employment goals to DelDOT's Civil Rights Section, noting potential problems, which may lead to a shortfall in final DBE goal achievement and/or the representation of minorities and females per construction trade on the project.
- Review any DBE Performance Plan provided by the contractor's staff for the US 301 Project, make any appropriate recommendations and submit the same for final approval by the DelDOT Civil Rights Administrator.
- Secure from contractors, consultants, subcontractors and subconsultants monthly documentation of DBE participation, payment to DBEs and subcontractors, and any other DBE-related data.
- Utilize DelDOT data gathering resources to ascertain prompt payment compliance by contractors and consultants to DBEs and non-DBE subcontractors, to identify potential problems or deficiencies in complying with prompt payment requirements, and to implement established corrective measures and follow-up monitoring of prompt payment compliance.
- Audit quarterly, by written form, DBE subcontractors to verify payments reported by contractors. Reports reflecting the results of prompt payment monitoring and audits will be submitted to DelDOT's Civil Rights Section quarterly.
- Prepare monthly, quarterly, annual, and final reports on DBE participation and on EEO accomplishment pursuant to set goals.
- Develop, in consultation with the DelDOT Civil Rights Section, a comprehensive compliance monitoring and reporting system that will track equal employment opportunity and affirmative action functions and efforts by contractors and subcontractors. This system will incorporate collection, review and appropriate workforce and utilization analyses of the contractors' and subcontractors' reports, verification and validation of information reported utilizing desk and on-site field monitoring.
- Conduct site visits to effectively monitor all civil rights related functions pursuant to federal regulations and Executive Orders and report monthly on the information gathered during site visits.
- Solicit and secure quarterly employment reports from contractors and subcontractors.

Analyze these reports, generate and submit a comprehensive quarterly report to DelDOT's Civil Rights Section for approval. In those instances where analysis uncovers problems or deficiencies, the Civil Rights Consultant will identify corrective measures for recommendation to DelDOT's Civil Rights Section.

- Secure documentation, from the Contractor's EEO/Compliance Manager, on all complaints of discrimination under the ADA, Title VI and /or Title VII filed by individuals, business entities or other organizations and engage in follow-up on resolution of such complaints and report the same to DelDOT's Civil Rights Section.

### **SUBMISSION REQUIREMENTS**

1. **Expression of Interest submissions** must be received by: **3:00 P.M. Local Time, WEDNESDAY, ~~June 10, 2009~~ July 1, 2009.**

Facsimile responses to this Request for Expressions of Interest are not acceptable. No response hand-delivered or otherwise will be accepted after the above date and time. Expressions of Interest arriving after the deadline will be rejected regardless of the reason for late arrival. DelDOT's time is considered the official time for determining the cut-off for accepting Expression of Interest submissions. Firms wishing to be considered for work on this project must submit statements expressing interest as set forth herein. Any variation, including additions, is considered a basis for rejection. Expressions of Interest are to be delivered to:

Mark F. Letavish  
Consultant Control Coordinator  
Contract Administration  
Delaware Department of Transportation  
800 Bay Road, Dover, DE 19901

2. **Specific Type Firm Solicited:**  
There is no pre-registration requirement in order to submit an expression of interest on this project. The selected firm(s) may be required to register upon selection.
3. **DBE Goals** will be established by the DBE Program Office on federally funded tasks issued under this agreement. Tasks will be evaluated independently for potential DBE participation. Expressions of Interest must include a statement of commitment to achieve goals established for individual tasks. The commitment shall include an understanding that proposed DBE firms to be used for goal attainment purposes shall be certified with DelDOT's DBE Program Office.
4. **The Consultant shall submit six (6) copies** of an Expression of Interest. Receipt of insufficient copies of the Expression of Interest and non-compliance with providing the requested information in the desired format may result in elimination from the overall selection process.
5. **Joint venture** submissions will not be considered.
6. **DelDOT reserves the right to reject** any and all Expressions of Interest. All submissions become property of the Delaware Department of Transportation and shall be retained for a period not to exceed 30 days from the date of the approved shortlist. DelDOT reserves the right to any and all ideas included in this response without incurring any obligations to the responding firms or committing to procurement of the proposed services.

## **RATING CRITERIA**

Major factors/criteria for the establishment of a reduced candidate/shortlist and selection:

- a) Project understanding and clarity of approach to the required functions and services;
- b) Key Staff/Project Team qualifications pertaining to civil rights monitoring, enforcement of federal regulations, preparation of narrative reports in compliance with federal mandates;
- c) Firm resources/capability to accomplish proposed work on schedule, and experience on similar projects;
- d) Ability to provide the required monitoring personnel to fulfill requirements;

## **QUESTIONS**

Questions regarding this RFQ should be submitted via email. Questions received and the Department's response will be provided on the Department's web site; <http://www.deldot.gov/>. Click on 'Doing Business', under 'Professional Services', click on 'Current Requests for Consulting Services'.

## **CONTACTS**

**Questions concerning submissions and procedures** may be obtained from: Mark F. Letavish, Consultant Control Coordinator, Telephone: (302) 760-2089. E-mail address: [mark.letavish@state.de.us](mailto:mark.letavish@state.de.us).

## **OVERVIEW OF SELECTION PROCESS**

The Expressions of Interest will be used for reference material during the actual selection process. A mandatory pre-proposal meeting may be established for a briefing and provides an opportunity for the candidates to ask questions. There may be a written submission and/or oral interview sessions scheduled, after which the committee will determine the successful candidate.

After the selection process has been completed, applicable price information will be requested from the successful candidate; i.e. salary rates for various classifications of personnel, and an indirect cost derivation for the most current accounting period. Firms responding to this RFQ should be aware that the Department will not entertain direct cost charges for items needed to perform the work required. It is expected that all firms submitting are prepared for the work and include necessary work materials in their overhead rates. If an interested firm is requested to submit a priced proposal, the proposal should substantially reflect the same composition and area of involvement as the Expression of Interest submission.

Payroll burden and overhead will be computed on direct salary costs only (not including overtime) at the consultant's audited rate, as per Federal Acquisition Regulations Part 31, and Department policies. Computer and CADD costs are not allowable as a direct cost to this project. Rate determination and applicability is subject to audit by the Department. Additionally, candidates should be prepared for the Department to work with your current accounting firm to provide information and backup documentation. Full and immediate cooperation is required to avoid delays in execution of an agreement. Failure to cooperate may result in breaking off of negotiations and moving to the next ranked firm.

## **EXPRESSION OF INTEREST REQUIREMENTS**

The letter portion of the Expression of Interest shall indicate the firms desire to perform services and indicate the specific tasks or areas of expertise, which will be subcontracted, and to whom. Interested firms must submit the material required herein or they will not be considered for the project.

1. Please submit the firm's mailing address, phone number, and an e-mail address for the firm's point of contact person on page 1 of the Letter of Interest. Future contacts by DelDOT will be done via e-mail, whenever possible.
2. The Expression of Interest submission should be tabbed and collated in the following order:

### **A. Table of Contents**

Table of Contents (1 per set) - Limited to One (1) page on 1 sheet of paper

### **B. Letter of Interest**

Letter of Interest (1 per set) - Limited to ten (10) pages on five (5) sheets of paper

Indicate the following:

- (1) An understanding of the anticipated assignments, services required, and approach to providing the services required;
- (2) Identify who the proposed project manager will be and what office location they will be working from;
- (3) The location, size, and description of the firm;
- (4) Availability of personnel for immediate placement;
- (5) Sub-consultant usage if anticipated. Indicate the percentage of work estimated to be performed by the sub vs. the prime. Also, indicate if the prime consultant has previously worked with the proposed sub and give a brief example of the previous relationship(s).
- (6) The Prime/Lead consultant must indicate the present workload either as a Prime Consultant or a Sub-Consultant with any major transportation agency by Location, Total Dollar Upset Limit, total paid-to-date, and the scope of the project(s). Also, include the estimated date of completion. If possible, include the estimated fees for any project with any major transportation agency for which your firm has been selected and does not have an executed agreement in place (7) Provide a listing of contracts with any major transportation agency for the past five (5) years. Clearly indicate if your firm has not been short listed for a major transportation agency project within the past five (5) years.

### **C. Project Organization Chart**

Project Organization Chart (1 per set) - Limited to one (1) side of one sheet of paper.

### **D. Resumes**

Provide detailed resumes for proposed project staff outlining knowledge, skills, education and experience to perform the required functions.

### **E. Similar Projects**

Provide a listing with detailed narrative of at least two similar projects on which your firm has provided comparable service

### **F. References**

Provide a list of References who have personal knowledge of the prime consultant's and the sub-consultant's previous performance. Provide three (3) client references each for both the prime and the sub-consultant(s). The references must include **verified** addresses and telephone numbers, contact persons, and a brief description of services that have been provided similar to those described by Delaware DOT for this project.

- (1) References shall be shown on separate sheets (limited to one (1) single-sided sheet; one sheet for the prime and one sheet for each sub proposed). These shall not be included in the ten page Letter of Interest.

No promotional materials or brochures to be included as part of the Expression of Interest package.

The Department is not liable for any cost incurred by the consultant in the preparation or presentation of the Statement of Qualifications.

The Department of Transportation will affirmatively insure individuals and businesses will not be discriminated against on the grounds of race, creed, color, sex, or national origin in consideration for an award. Minority business enterprises will be afforded full opportunity to submit bids/proposals in response to this invitation.

**Department of Transportation**

**State of Delaware**

**By: Carolann Wicks, P.E.**

**Secretary**

**Dover, DE**

**May 11, 2009**